

REMARKS

By the present amendment, independent claim 1 has been amended to further clarify the concepts of the present invention. In particular, claim 1 has been amended to restore the subject matter inadvertently canceled therefrom. Entry of the above amendments is respectfully requested.

In the Office Action, claims 1-3, 5-8 and 10-12 again were rejected under 35 USC § 102(b) as being anticipated by, or alternatively, under 35 USC 103(a) as being obvious over, the patent to Chatterjee. In making this rejection, it was alleged that the Chatterjee patent teaches a resin composition for metallized films formed of components which fall within the scope of the noted claims. In so doing, it was asserted that at least some of the properties (a-1) through (a-6) of the propylene random copolymer (A) and the recited properties for polyethylene resin (B), although not specifically disclosed, would be inherent in the compositions according to the cited patent. Reconsideration of this rejection in view of the above claim amendments and the following comments is respectfully requested.

Before discussing the rejection in detail, again a brief review of the presently claimed invention may be quite instructive. The subject invention relates to a polypropylene-based resin composition for metallized films where the composition comprises, among other things, a propylene random copolymer (A) produced in the

presence of a metallocene catalyst, which has the properties (a-1) to (a-6) as now recited in claim 1. An extremely important feature of this composition is that the propylene random copolymer (A) (hereinafter simply referred to as "copolymer (A)") is produced in the presence of a metallocene catalyst. In other words, it is extremely difficult, if not impossible, to produce the copolymer (A) without using a metallocene catalyst, that is, for example, in the presence of a conventional Ziegler-Natta type catalyst. It submitted that such a polypropylene-based resin composition for metallized films which includes copolymer (A) as defined in claim 1 is not taught or suggested by the cited patent to Chatterjee.

Among other things, it is submitted that the Chatterjee patent does not teach or suggest, among other things, the use of a metallocene catalyst for the production of a polypropylene random copolymer. In support thereof, attention is directed to column 2, lines 4 to 9 of the Chatterjee patent which teaches:

"For example, the base polymer may be prepared by polymerizing propylene and an α -olefin having 5 to 8 carbon atoms under polymerization conditions in the presence of a titanium-based, olefin polymerization catalyst system such as a magnesium halide-supported titanium-containing polymerization catalyst system."

Attention further is directed to column 3, lines 23 to 26 of the Chatterjee patent which teaches:

"Acid acceptors act to neutralize acidic species, such as hydrochloric acid (HCl), which are residues from the polymerization catalyst system such as the Ziegler-Natta type catalyst system."

These two specific teachings from the Chatterjee patent strongly suggest that a Ziegler-Natta type catalyst is used for producing the propylene random copolymer. Therefore, according to the teachings of the Chatterjee patent, the amount and molecular weight of the solubles of the resultant propylene random copolymer are not well-balanced. As a consequence, the properties of the resultant metallized film are unsatisfactory.

In the rejection, it was acknowledged that the Chatterjee patent does not specifically disclose that the polypropylene random copolymer of the composition according to the patent has all the properties as recited in the subject claims. However, it was asserted that the components of the resin composition of the cited Chatterjee patent would be expected to possess the same properties as recited in the claims. In other words, it was asserted that the components of the composition of the cited Chatterjee patent would inherently have the same properties as the composition as claimed.

It is submitted that, contrary to the above assertion, the propylene random copolymer of the composition according to the Chatterjee patent does not in fact have one or more of the properties as claimed. In this regard, specific attention is directed to the enclosed Declaration of Mr. Yasunori Nakamura, one of the inventors in the subject application. From the evidence of the experiments as recounted in the Declaration, it is to be specifically noted that Mr. Nakamura has concluded that the propylene random copolymer used in the Chatterjee patent is completely different from copolymer (A) in the presently claimed invention, and cannot be used for preparing the composition of the present invention for metallized films. Thus, the Declaration clearly demonstrates that the teachings of cited Chatterjee patent do not produce a copolymer (A) having properties (a1) through (a-6) as recited in present claim 1.

In summary and as apparent from the above, it is submitted that the Chatterjee patent does not teach or suggest the essential features and unexpected effects of the presently claimed invention. That is, the production method and properties of copolymer (A) of the polypropylene-based resin composition for metallized films of the presently claimed invention must be as specified as in claim 1, in order to obtain a metallized film with satisfactory properties. The subject Declaration clearly demonstrates that the properties of copolymer (A) as claimed are only achieved according to the subject invention and such are not obtainable in accordance with the teachings of the Chatterjee patent.

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For the reasons stated above, withdrawal of the rejection under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) and allowance of claims 1, 3, 5-7, 9 and 11-12 as amended over the cited Chatterjee patent are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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